

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301  
Indianapolis, IN 46204  
(317) 233-0696  
<http://www.in.gov/legislative>

**FISCAL IMPACT STATEMENT**

**LS 6397**

**BILL NUMBER:** HB 1049

**NOTE PREPARED:** Nov 17, 2004

**BILL AMENDED:**

**SUBJECT:** Grandparent Visitation.

**FIRST AUTHOR:** Rep. Torr

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:** X GENERAL  
DEDICATED  
FEDERAL

**IMPACT:** State & Local

**Summary of Legislation:** This bill provides that a child's grandparent may seek visitation when a parent or guardian of the child unreasonably refuses or restricts visitation.

**Effective Date:** July 1, 2005.

**Explanation of State Expenditures:**

**Explanation of State Revenues:** Current statute allows a grandparent to petition the court for visitation rights if: (1) the child's parent is deceased, (2) the marriage of the child's parents has been dissolved in Indiana, or (3) the child was born out of wedlock (*Note:* Indiana does not grant visitation rights to a paternal grandparent of a child who is born out of wedlock if the father has not established paternity in relation to the child). This bill would add new grounds for a grandparent to file for visitation. A grandparent would be able to seek visitation rights if a parent or guardian of a child unreasonably refuses to allow or restricts visitation. The number of grandparents that might petition the court under the requirements of this bill is unknown, however, it is likely small.

*Court Fee Revenue:* If additional civil actions occur, revenue to the state General Fund may increase if court fees are collected. A civil filing fee of \$100 would be assessed when a civil case is filed. 70% of the filing fee would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court.

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:** *Court Fee Revenue:* If additional civil actions occur, local governments would receive revenue from the following sources. The county general fund would receive 27% of the \$100 filing fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund.

**State Agencies Affected:**

**Local Agencies Affected:** Trial courts, city and town courts.

**Information Sources:**

**Fiscal Analyst:** Sarah Brooks, 317-232-9559.